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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,468	12/26/2001	Rainer Kuth	2000P22926 US	2967

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EXAMINER
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LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/025,468

Applicant(s)

KUTH, RAINER

Examiner

Victor Lesniewski

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

1. The amendment filed 5/10/2005 has been placed of record in the file.
2. Claims 1, 4, and 10 have been amended.
3. The objection to the specification is withdrawn in view of the amendment.
4. The rejections under 35 U.S.C. 112 are withdrawn in view of the amendment.
5. Claims 11-14 have been added.
6. Claims 1-14 are now pending.
7. The applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the following new grounds of rejection.

***Response to Amendment***

8. Claims have been amended to show an information item that is publicly accessible. The amendment proves a change in scope to the independent claim as the independent claim now explicitly states transferring the information item from the information provider to the service provider, and making the transferred information item publicly accessible. However, none of the amended claims show a patentable distinction over the prior art as evidenced by the following new grounds of rejection.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Druckenmiller et al. (U.S. Patent Number 6,167,435), hereinafter referred to as Druckenmiller, in view of Guck (U.S. Patent Number 5,848,415).

11. Druckenmiller disclosed a system for generating email subscription address lists that uses a unique token for each address and verification messages. In an analogous art, Guck disclosed a content server and object database that supports a multiplicity of resource objects for users.

12. Concerning claims 1 and 11, Druckenmiller did not explicitly state making the information item publicly accessible. However, Guck does explicitly state this feature as one focus of his system is to make source documents publicly accessible over a network, such as through a newsgroup or other message board. It can be seen that Guck's message objects are analogous to the messages in Druckenmiller's system in that they too maintain unique message IDs. See Guck, column 8, lines 24-27. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Druckenmiller by adding the ability to make the information item publicly accessible as provided by Guck. Here the combination satisfies the need for a network system that allows a user at a client to make email messages or other message objects available to a variety of other client systems. See Guck, column 1, lines 44-49.

13. Thereby, the combination of Druckenmiller and Guck discloses:

- <Claim 1>

A method for handling an information item which originates from an information provider, is made available by a service provider and can be called via a communications

network (Druckenmiller, column 3, lines 4-34), comprising the following method steps:

a) having the service provider allocate an ident code which identifies the information item to the information provider (Druckenmiller, column 3, lines 23-25 and 35-40); b) transferring the information item from the information provider to the service provider (Druckenmiller, column 3, lines 55-66), and making the transferred information item publicly accessible (Guck, column 4, lines 13-23); c) deleting the information item from the service provider if the ident code is not transmitted to the service provider by the information provider within a monitoring period (Druckenmiller, column 3, lines 40-54 and column 3, line 67 through column 4, line 3).

- <Claim 2>

The method as claimed in claim 1, in which the ident code is transmitted, together with a handling instruction relating to the information item, to the service provider by the information provider (Druckenmiller, column 3, lines 47-61).

- <Claim 3>

The method as claimed in claim 2, in which, during the transmission of the ident code, together with a handling instruction, by the information provider, the service provider handles the information item in accordance with the handling instruction (Druckenmiller, column 3, lines 47-61).

- <Claim 4>

The method as claimed in claim 2, in which the handling instruction comprises at least one of changing the information item, retaining the information item, and deleting the information item (Druckenmiller, column 3, lines 47-61 and column 8, lines 9-15).

- <Claim 5>

The method as claimed in claim 1, in which the monitoring period can be predetermined (Druckenmiller, column 3, line 67 through column 4, line 3).

- <Claim 6>

The method as claimed in claim 1, in which the monitoring period takes place automatically (Druckenmiller, column 3, line 67 through column 4, line 3).

- <Claim 7>

The method as claimed in claim 1, in which the communications network is the Internet (Druckenmiller, column 2, lines 60-65).

- <Claim 8>

The method as claimed in claim 1, in which the ident code is transmitted to the information provider by e-mail (Druckenmiller, column 3, lines 35-37).

- <Claim 9>

The method as claimed in claim 1, in which the ident code is transmitted, together with the handling instruction relating to the information item, to the service provider by e-mail (Druckenmiller, column 3, lines 47-61).

- <Claim 10>

The method as claimed in claim 1, in which the information item made available has at least a last update date of the information (Druckenmiller, figure 3).

- <Claim 11>

A method for establishing the currency of an information item that is made generally accessible, comprising the following steps: transmitting an information item from an

information provider to a service provider (Druckenmiller, column 3, lines 55-66); transmitting from the service provider to the information provider an ident code (Druckenmiller, column 3, lines 23-25 and 35-40); making the information item publicly accessible over a network through the service provider (Guck, column 4, lines 13-23); monitoring by the service provider to determine whether the information provider has transmitted the ident code to the service provider within a predetermined monitoring period, and deleting the information item from the service provider at a conclusion of the predetermined monitoring period if the information provider has not transmitted the ident code to the service provider within the predetermined monitoring period (Druckenmiller, column 3, lines 40-54 and column 3, line 67 through column 4, line 3).

- <Claim 12>

The method of claim 11, wherein if the service provider receives the ident code from the information provider within the predetermined monitoring period, the service provider resets the predetermined monitoring period and repeats the monitoring step (Druckenmiller, column 6, lines 51-65).

- <Claim 13>

The method of claim 12, wherein the information provider transmits handling instructions to the service provider in addition to the ident code (Druckenmiller, column 3, lines 47-61).

- <Claim 14>

The method of claim 13, wherein the handling instructions received by the service provider cause the service provider to perform one of the actions of retaining, modifying,

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and deleting the information item (Druckenmiller, column 3, lines 47-61 and column 8, lines 9-15).

Since the combination of Druckenmiller and Guck discloses all of the above limitations, claims 1-14 are rejected.

### *Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Nielsen (U.S. Patent Number 5,870,548) disclosed a method for altering previously sent email messages.
- Kurzius et al. (U.S. Patent Number 6,385,620) disclosed a system for automatic candidate recruiting that reposts candidate data automatically.
- Knight et al. (U.S. Patent Number 6,493,703) disclosed an online message board system that monitors messages traffic generated by subscribers.
- San Andreas et al. (U.S. Patent Number 6,901,443) disclosed a distributed directory service that offers users the ability to edit or delete BBS nodes in the system.
- Rose et al. ("Message World: A New Approach to Facilitating Asynchronous Group Communication") disclosed an online bulletin board that users content analysis and the correlation of user preferences to enhance online messaging.

15. The applicant's amendment necessitated the new grounds of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).





A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Victor Lesniewski  
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